
Remarks

The paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

DETAILED ACTION

The Examiner indicated that this action is in response to the applicant's RCE request and amendment filed on 10/1/2002 and that this action is non-final. The applicant believes that no specific response is required for this paragraph.

The Examiner indicated that claims 31-56 are pending, that claim 31 is the sole independent claim and that claim 31 was amended in the amendment of 10/01/02. The applicant believes that no specific response is required for this paragraph.

The Examiner stated that the present title of the invention is "Method and Apparatus for Monitoring Dynamic Systems Using N-Dimensional Representations of Critical Functions." The applicant believes that no specific response is required for this paragraph.

Continued Examination Under 37 CFR 1.114

1. The Examiner stated that a request for continued examination, including the fee was filed in this application after final rejection. That the fee was timely paid and that the finality of the previous Office action has been withdrawn. The Examiner entered applicant's submission of 10/1/02. The applicant appreciates the Examiner entering the previous submission and the Examiner's willingness to continue to examine this case.

Claim Rejections - 35 USC § 103

2. The Examiner provided the citation to 35 U.S.C. § 103(a) "which forms the basis for all obviousness rejections set forth in this Office action." The applicant believes that no specific response is required for this paragraph.

3. The Examiner also reminded the applicant of the applicant's obligation to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made. The applicant believes all claims are and were commonly owned by assignment to the University of Utah Research Foundation.

4. The Examiner rejected claims "31-56 under 35 U.S.C. § 103(a) as being unpatentable over Richards et al. (U.S. patent 5,121,469) in view of Schwuttke et al. (U.S. patent 6,222,547)." The applicant has requested that claim 31, on which claims 32-56

depend and which include all of the limitations of claim 31, be amended as shown to provide further clarity regarding the data interdependency relationships between the data variables in applicant's invention. The applicant believes that the combination of elements of the applicant's invention as currently claimed are neither described nor even suggested in the cited or any other known references. The applicant believes that this response is fully responsive to the objection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.

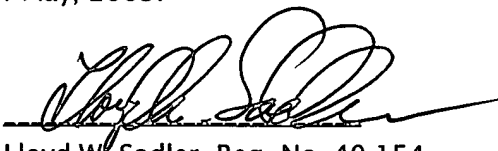
Conclusion

5. The Examiner noted that applicant's "arguments with respect to claims 31-56 have been considered but are moot in view of the new ground(s) of rejection. The applicant appreciates the Examiner's consideration and believes that no specific response is required for this paragraph.

6. The Examiner provided information concerning communication on this application. The applicant appreciates the Examiner's willingness to communicate and assist on this case.

The applicant has requested that claim 31 be amended as previously described. Since claims 32-56 are dependent on claim 31 and incorporate its limitations, the applicant believes that this requested amendment fully addresses the rejections to claims 32-56 as well. Applicant believes that all issues and points of the Examiner's Office action have been addressed. Applicant believes that claims 31-56 are patentable over all known prior art. Applicant respectfully requests reconsideration and allowance of this application.

Respectfully submitted this 7th day of May, 2003.



Lloyd W. Sadler, Reg. No. 40,154
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Telephone: (801) 532-1234
Facsimile: (801) 536-6111